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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

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9 DONALD ROTSIN BARREN,

Case No. 2:19-cv-00142-APG-VCF

10 Plaintiff,

ORDER

11 v.

12 JAMES DZURENDA, *et al.*,

13 Defendants.

14 Plaintiff, who is in the custody of the Nevada Department of Corrections  
15 (“NDOC”), submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1-  
16 1). Plaintiff now has filed multiple documents purporting to supplement his complaint by  
17 adding more defendants and adding more allegations to at least one of the claims that  
18 was in the original complaint. (ECF No. 3, 4). Plaintiff also has filed a motion for a copy  
19 of the local rules. (ECF No. 7).

21 The Court will not piecemeal documents together to determine whether Plaintiff  
22 states a colorable claim in his complaint. The Court therefore declines to screen  
23 Plaintiff’s complaint at this time and grants Plaintiff leave to file a complete First  
24 Amended Complaint. The Court notes that, if Plaintiff chooses to file a complete  
25 amended complaint, Plaintiff shall file that amended complaint within thirty (30) days  
26 from the date of entry of this order. If Plaintiff chooses not to file a complete amended  
27 complaint, the Court will screen Plaintiff’s original complaint (ECF No. 1-1) only.  
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1 If Plaintiff chooses to file a complete amended complaint, he is advised that an  
2 amended complaint supersedes (replaces) the original complaint and, thus, the amended  
3 complaint must be complete in itself without reference to previous complaints or  
4 filings. See *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546  
5 (9th Cir. 1989) (holding that “[t]he fact that a party was named in the original complaint is  
6 irrelevant; an amended pleading supersedes the original”). Moreover, Plaintiff should file  
7 the amended complaint on this Court’s approved prisoner civil rights form and it must be  
8 entitled “First Amended Complaint.”

9 Plaintiff’s supplements (ECF No. 3, 4) must be stricken from the docket because all  
10 claims, defendants, and specific factual allegations that Plaintiff wishes to pursue in this  
11 litigation must be contained within either the original complaint or within the First Amended  
12 Complaint, should Plaintiff choose to file a complete amended complaint.

13 The Court denies Plaintiff’s motion for a copy of the local rules. The local rules are  
14 available online, and the Court does not have physical copies of the local rules. It appears  
15 that Plaintiff is requesting the local rules because the Court ordered him to comply with  
16 those rules by updating his address with the Court. That local rule requirement, along with  
17 some other relevant local rule requirements such as the requirement that plaintiffs file  
18 complete amended complaints, was explained in the advisory letter (ECF No. 2) the Court  
19 sent to Plaintiff when he submitted his original complaint. The Court therefore will direct  
20 the Clerk of the Court to send Plaintiff a copy of that advisory letter.

## 21 **II. Conclusion**

22 It is therefore ordered that Plaintiff’s supplements (ECF No. 3, 4) are stricken from  
23 the docket.

24 It is further ordered that, if Plaintiff chooses to file an amended complaint, as  
25 outlined in this order, Plaintiff shall file the complete amended complaint within thirty (30)  
26 days from the date of entry of this order.


27 It is further ordered that the Clerk of the Court shall send to Plaintiff the approved  
28 form for filing a § 1983 complaint, instructions for the same, a copy of his original complaint

1 (ECF No. 1-1), and copies of his supplements (ECF No. 3, 4). If Plaintiff chooses to file  
2 an amended complaint, he should use the approved form and he must write the words  
3 "First Amended" above the words "Civil Rights Complaint" in the caption.

4 It is further ordered that, if Plaintiff chooses not to file an amended complaint within  
5 thirty (30) days, the Court will screen Plaintiff's original complaint (ECF No. 1-1) only.

6 It is further ordered that the motion for a copy of the local rules is denied, but the  
7 Clerk of the Court shall send Plaintiff a copy of the advisory letter (ECF No. 2) that  
8 previously was sent to him.

9 DATED THIS 22<sup>nd</sup> day of October, 2019.



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11 UNITED STATES MAGISTRATE JUDGE  
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